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1634

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David MACK, *et al.*

Appl. No.: 09/642,034

Filed: August 18, 2000

For: **METHODS OF DIAGNOSING
BREAST CANCER (AS AMENDED)**

Art Unit: 1634

Examiner: Diana B. JOHANSEN

Atty. Docket: 05882.0129.CPUS04

Confirmation No. 6513

Information Disclosure Statement

MS Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

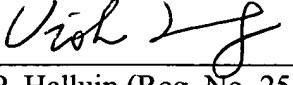
exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Information Disclosure Statement and the attached PTO-1449, be placed in the file.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number **05882.0129.CPUS04**.

Respectfully submitted,

Date: December 5, 2003


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**LIST OF REFERENCES CITED BY APPLICANT**

(Use several sheets if necessary)

PTO FORM 1449

ATTY. DOCKET NO.

05882.0129.CPUS04

APPLICATION NO.

09/642,034

APPLICANT

David Mack, et al.

FILING DATE

August 18, 2000

GROUP

1634

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.						
	2.						
	3.						
	4.						

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	5.							
	6.							
	7.							

OTHER REFERENCES

(Including Author, Title, Date, Pertinent Pages, Etc.)

	8.	EI-Tanani, M. K. K., et al., "Insulin/IGF-1 modulation of the expression of two estrogen-induced genes in MCF-7 cells", Molc. and Cellular Endoc. 121: 39-35 (1996)
	9.	EI-Tanani, M. K. K., et al., "Interaction Between Estradiol and Growth Factors in the Regulation of Specific Gene Expression in MCF-7 Human Breast Cancer Cells", J. Steroid Biochem. Molc. Biol., 60(5-6): 269-76 (1997)
	10.	Taylor, K. M., "LIV-1 Breast Cancer Protein Belongs to New Family of Histidine-Rich Membrane Proteins with potential to Control Intracellular Zn ²⁺ Homeostasis," Life, 49: 249-53 (2000)
	11.	Dressman, M. A., et al., "Genes that co-cluster with estrogen receptor alpha in microarray analysis of breast biopsies", Pharmacogenomics Journal, 1: 135-41 (2001)
	12.	Taylor, K. M., et al., "The LZT proteins; the LIV-1 subfamily of zinc transporters", Biochimica et Biophysica Acta, 1611: 16-30 (2003)
	13.	Borresen-Dale, A. -L., "Genetic profiling of breast cancer: From molecular portraits to clinical utility," The Int'l. J. of Biol. Markers, 18(1): 54-56 (2003)
	14.	Taylor, K. M., et al., "Structure-Function Analysis of LIV-1, the breast cancer associated protein that belongs to a new subfamily of zinc transporters", Biochemical Journal Immediate Publication, BJ20030478 (2003)
	15.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.